

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CHRISTOPHER BROOKS,

Plaintiff,

ORDER

-against-

CV 11-6070 (MKB) (ETB)

1<sup>ST</sup> PRECINCT POLICE DEPARTMENT, et al.,

Defendants.  
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The sua sponte stay of all discovery, dated April 13, 2012, is continued pending the outcome of the defendants' motion to dismiss, (Docket Entry #25), which was served on the plaintiff in May 2012 but has yet to be filed with the Court because the plaintiff has failed to serve any opposition to the motion.<sup>1</sup> Examination of the original and Amended Complaint reveals that, with the exception of the date of the incident giving rise to this action, the two complaints are virtually identical. The original Complaint alleges that the incident occurred on December 30, 2005 whereas the date of occurrence is omitted from the Amended Complaint filed by the pro se plaintiff on April 13, 2012.

A status conference will be held on May 21, 2013 at 11:00 a.m., by telephone. The County Attorney is requested to initiate the conference call and to have all parties on the line prior to connecting the Court (631-712-5710). The call must be placed through the teleconference operator provided by your long-distance service.

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<sup>1</sup> Pursuant to Judge Brodies "bundle rule," only the County Attorney's cover letter that accompanied the motion to dismiss that was served on the plaintiff has been filed with the Court.

**SO ORDERED:**

Dated: Central Islip, New York  
December 19, 2012

/s/ E. Thomas Boyle  
E. THOMAS BOYLE  
United States Magistrate Judge